

**Legal Guide M-1**

**LEGAL AFFAIRS**  
1625 NORTH MARKET BLVD., SUITE S 309  
SACRAMENTO, CA 95834



## **Checklist of Significant California and Federal Consumer Laws**

**December 1995**

### **A**

**ABANDONED PROPERTY (Tenant's)** - CC 1965, 1980 et seq., 2080 et seq.

**ADVERTISING (see Misrepresentation)**

**Bait and Switch** - B&P 17500, CC 1770(i),(j), 16 CFR Part 238

**Business Address** - B&P 17538.5

**Charitable Solicitations** - B&P 17510 et seq.

**Comparisons/Substantiation** - B&P 17508

**Credit Terms** - B&P 17538.7

**Door-to-Door Solicitations** (see Door-to-Door Solicitations)

**Environmental** (see Environmental Advertising Claims)

**False/Misleading** - B&P 17500, 15 USC 45(a)(1)

**Limit on Quantity (Unadvertised)** - B&P 17500.5

**Manufacturer's Rebate** - B&P 17701.5

**Multiple Articles** - B&P 17504, 17507, 17509

**Ownership/Control (Misrepresentation)** - B&P 17505

**Repair Service** - CC 1770(o),(p)

**Telephonic Solicitations** (see Telephonic Sellers)

**Television Picture Tubes** (see Television)

**Toys** (see Toys)

**Used/Defective Goods** - B&P 17531, CC 1770(f)

**Worth/Value/Former Price** - B&P 17501, CC 1770(m)

**APPLIANCES**

**Labeling** - B&P 22410 et seq.

**Repair** - B&P 9800 et seq.

**ART, FINE (Consignment)** - CC 1738

**"AS IS" SALES** - CC 1791.3, 1792.4, 1792.5, 1670.5, 1770(s), 15 USC 2308, 16 CFR 455.2, Com. Code 2316

**ATTACHMENT LAW** - CCP 481.010 et seq.

**ATTORNEYS**

**Advertising** - B&P 6157 et seq.

**Fee Agreements** - B&P 6146 et seq.

**Fees** - CC 1717, 1717.5

**AUTOMOBILES**

**Certification of Nonoperation** - VC 4604, 4604.2

**Conditional Sale Contracts (see Rees-Levering Act)** - CC 2981 et seq.

**Financing, Dealer Assisted** - CC 2982.5

**Leasing** - CC 2985.7 et seq., 15 USC 1667 et seq., 12 CFR Part 213

**Lease Contract** - CC 2985.8

**Lessee's Claims/Defenses** - CC 2986.3(b),(c), 2986.10

**Parking Lots** (see Bailments)

**Prohibited Contractual Provisions** - CC 2986.3

**Rescission/Refund** - CC 2986.2(c), 2986.13, 2988.7

**Lemon Law** - CC 1793.22-1793.25

**Odometer Provisions** - VC 11713(n), 28050 et seq., 15 USC 1984, 49 CFR 580

**Reinstatement of Sale Contract** - CC 2983.3

**Repair Act** - B&P 9880 et seq.

**Repossession** - CC 2983.2

**Rescission of Sale Contract** - CC 1689, 2982(r), 2982.5, 2982.9, 2983, 2983.1

**Sales (see Rees-Levering Act)** - CC 2981 et seq.

**Smog Certificate Upon Transfer** - VC 5751.5, 24007(b)

**Rentals** - CC 1936

**Subleasing** - CC 3343.5, PC 570 et seq.

**Warranties (see Warranties)**

**Warranty Adjustment Program** - CC 1795.90 et seq.

**AUTOMOBILE DEALERS**

**Advertising** - VC 11713, 11713.1, 13 CCR 403.00

**Consignment Sales** - VC 11729 et seq.

**Licensing Regulations** - VC 11705, 11713

**Responsibilities** - VC 11700 et seq.

**Salespeople** - VC 11800 et seq.

**Sales Practices and Advertising Restrictions** - VC 11713, 11713.1

**AUTOMATED CHECKOUT SYSTEMS** - CC 7100 et seq.

**AUTOMATIC DIALING MACHINES** - CC 1770(v), B&P 17363.5, PUC 2871 et seq.

### **B**

**BAD CHECK LAW** - CC 1719

**BAILMENTS** - CC 1813 et seq.

**Parking Lot (Disclaimer of Liability)** - CC 1630, 1630.5

**BAGGAGE CLAIMS** - CC 2194 et seq.

**BAIT AND SWITCH** - B&P 17500, CC 1770(i),(j), 16 CFR Part 238

**BEFORE REBATE PRICES (Disclosure)** - B&P 17701.5

**BILLS (False)** - CC 1716, 39 USC 3001(d)

**BOAT REPAIRS** - Harb. & Nav. Code 410 et seq., 510

**BUSINESS**

**Investments and Opportunities (see SAMPS)** - CC 1812.200 et seq.

**Street Address and Legal Name (Disclosure)** - B&P 17538.5  
**Business Records** - CC 1799 et seq.  
**BUYING SERVICE (Discount)** - CC 1812.100 et seq.  
**BREAD LABELING** - B&P 12665 et seq.

## C

**CALIFORNIA FINANCE LENDERS LAW** - FC 22000 et seq.

**CAMPING CONTRACTS** - CC 1812.300 et seq.  
**Contract Cancellation** - CC 1812.303, 1812.304

**CHAIN LETTERS** - PC 327, CC 1689.2

**CHARGE CARD DISCLOSURES** - CC 1748.20 et seq.

**CHARITABLE SOLICITATIONS** - B&P 17510 et seq.

**CHECK CASHERS** - CC 1789.30 et seq.

**Limits on Fees** - CC 1789.35

### **CHECKS**

**Bad Check Law** (see Bad Check Law)

**Defenses to Payment** - Com. Code 3305

**Payment in Full** - CC 1526, Com. Code 3311

**Postdated** - B&P 17538.6, Com. Code 4401

**Preauthorized** - 16 CFR Part 310

**Presumption of Payment** - Evid. Code 670

**Simulated** (see Simulated Checks)

**Stop Payment** - CC 1719(b), Com. Code 4403

**Treble Damages (Insufficient Funds)** - CC 1719

**Unauthorized Signature** - Com. Code 4406

**Wrongful Dishonor** - Com. Code 4402

**CIVIL PENALTIES** - B&P 17206, 17206.1, 17536

**CIVIL LIABILITY FOR PETTY THEFT** - PC 490.5

**COLLECTIBLES (Sports Memorabilia)** - B&P 21671, CC 1739.7

**CONDITIONAL OFFERS OF GIFTS OR PRIZES** - B&P 17537

**CONFIDENTIALITY OF MEDICAL INFORMATION** - CC 56 et seq.

**CONSUMER AFFAIRS ACT** - B&P 300 et seq.

**Complaints** - B&P 325, 326

**Definitions** - B&P 302

**Dissemination of Information** - B&P 335

**Legal Proceedings** - B&P 321

**Legislative Intent** - B&P 301

**Powers and Duties** - B&P 310

**CONSUMER CONTRACT AWARENESS ACT** - CC 1799.200

### **CONSUMER CREDIT**

**Credit Card Disclosures** - CC 1748.10

**Contracts** - CC 1799.90 et seq.

**Cosigners** - CC 1799.90 et seq.

**Credit Reporting Agencies** - CC 1785.1 et seq.

**Denial** - CC 1787.1 et seq.

**Investigative Consumer Reporting Agencies** - CC 1786 et seq.

**Marital Status** - CC 1812.30 et seq.

**Purchase of Goods and Services (see Rees-Levering and Unruh Acts)**

**CONSUMER LEASING ACT** - 15 USC 1667 et seq., 12 CFR Part 213

**CONSUMER LEGAL REMEDIES ACT (see**

**Misrepresentation)** - CC 1750-1784

**CONSUMER LOANS (see Lenders)**

**CONTEST OPERATIONS** - B&P 17539-17539.3

**Definitions** - B&P 17539.3

**Disclosures** - B&P 17539.2

**Intent to Make Sales Presentation** - B&P 17533.8

**Unfair Acts** - B&P 17539.1

**CONTRACTORS' LICENSE LAW** - B&P 7000-7173

**Arbitration of Complaints** - B&P 7085 et seq.

**Documents Requiring License Number** - B&P 7030.5

**Fraud** - B&P 7116

**Home Improvement Contracts (see Home Improvement Contracts)** - B&P 7150 et seq.

**License Required** - B&P 7028, 7028.16, 7031

**Swimming Pool Construction Contracts** - B&P 7165-7173

**Unlicensed Activity** - B&P 7031, CCP 1029.8

**Void/Unenforceable Contract Terms** - B&P 7034

**CONTRACTS** - CC 1549 et seq.

**Awareness Act** - CC 1799.200 et seq.

### **Cancellation**

**Home Solicitation Sales** - CC 1689.5 et seq., 16 CFR Part 429

**Rescission** - CC 1689

**Telephone Sales** - B&P 17511.5(e)

**Duress, Menace** - CC 1569, 1570

**Elements** - CC 1565

**Fraud** - CC 1571-1574

**Liquidated Damages** - CC 1671

**Mistake** - CC 1576-1579

**Spanish Language Translation** - CC 1632, 1689.7

**Statute of Frauds** - CC 1624, Com. Code 2201

**Unconscionable** - CC 1670.5, 1770(s)

**Undue Influence** - CC 1575

**Unlawful** - CC 1667 et seq.

**COSMETICS (see Food, Drug and Cosmetic Law)**

**CO-SIGNORS (Consumer Credit Contracts)** - CC 1799.90 et seq., 16 CFR Part 444

**COUPONS** - B&P 17700 et seq.

### **CREDIT CARDS**

**Areias-Robbins Credit Card Full Disclosure Act** - CC 1748.10 et seq.

**Areias-Robbins Charge Card Full Disclosure Act** - CC 1748.20 et seq.

**Billing Error** - CC 1747.50, 1747.60, 12 CFR 226.13

**Cancellation** - CC 1747.85

**Cardholder's Claims and Defenses** - CC 1747.90, 12 CFR 226.12

**Goods or Services Not Furnished** - CC 1748.7

**Late Charges** - FC 4001

**Marital Status** - CC 1747.80, 1747.81, 1812.30 et seq.

**Marketing Information (Use Of)** - CC 1748.12

**Personal Identification** - CC 1747.8

**Sales (Unruh Act)** - CC 1801 et seq.

**Song-Beverly Credit Card Act** - CC 1747 et seq.

**Surcharges/Cash Discounts** - CC 1748, 1748.1

**Unauthorized Use** - CC 1747.10

**CREDIT REPAIR AGENCIES (Credit Service**

**Organizations)** - CC 1789.10 et seq.

**Contract Cancellation** - CC 1789.16(a),(b)

**Prohibited Conduct** - CC 1789.13, 1789.17, 1789.19(a)

## D

**DAMAGES** - CC 3281 et seq.

**Bad Checks (Treble Damages)** - CC 1719

**Interest as Damages** - CC 3287 et seq.

**Liquidated Damages** - CC 1671

**Measure of Damages** - CC 3300 et seq.

**Punitive Damages** - CC 3294

**Senior Citizens/Disabled Persons (Treble Damages for Fraud)** - CC 1780(b), 3345

**DANCE STUDIO CONTRACTS** - CC 1812.50 et seq.

**Contract Cancellation** - CC 1812.54(b)

**DATING SERVICE CONTRACTS** - CC 1694 et seq.

**Contract Cancellation** - CC 1694.2(b)

**Death or Disability** - CC 1694.3

**Move/Transferability** - CC 1694.3(b)

**DEBT COLLECTION PRACTICES** - CC 1788 et seq.

**DECEPTIVE PRACTICES** - B&P 17200 et seq., CC 1750 et seq.

**DEFECTIVE PRODUCT (see Contracts and Warranty)**

**DEFICIENCY JUDGMENT (Installment Sales)** - CC

1812.5, 2983.2, 2983.8

**DEPOSITS (Real Estate)** - CC 1057.3, 1671, 1675 et seq.

**DISABLED PERSONS (see Physically Disabled Persons)**

**DISASTERS**

**Home Restoration/Repair** - CC 1689.6(c), 1689.7(a)(3),

1689.13, 1689.14(a)

**Price Gouging** - PC 396

**DISCLAIMERS (see Exculpatory Clauses, Warranties)**

**DISCOUNT BUYING SERVICES** - CC 1812.100 et seq.

**Contract Cancellation** - CC 1812.118

**DISCRIMINATION (Unlawful)** - CC 51 et seq.

**DOMESTIC SERVICES** - CC 1812.5095

**DOOR-TO-DOOR SOLICITATION** - B&P 17510

**Charitable Purpose** - B&P 17510.3

**Definitions** - B&P 17510.2

**Right to Cancel** - CC 1689.5 et seq., 16 CFR Part 429

**Sales Purpose (Disclosure)** - B&P 17500.3

**Telephonic Solicitation** (see Telephonic Sellers)

**DRUGS**

**Claimed Effect on Disorders** - H&S 110403

**Drug (see Food, Drug and Cosmetic Law)**

**Prescription Prices** - B&P 651.3, 4333

**Posting** - B&P 4333

**DRYCLEANERS/LAUNDRIES**

**Lien** - CC 3051

**Sale** - CC 3066

## **E**

**ELECTRONIC AND APPLIANCE REPAIR SERVICES** - B&P 9800 et seq.

**ELECTRONIC COMMERCE** - CC 1789 et seq.

**EMERGENCY RESPONSE UNIT (Cancellation Right)** - CC 1689.6(b), 1689.7(a)(2)

**EMPLOYMENT AGENCIES, JOB LISTING SERVICES, & EMPLOYMENT COUNSELORS** - CC 1812.500 et seq.

**Contract Cancellation** - CC 1812.511(a)(6),

1812.516(a)(6), 1812.526(e)(2)

**ENDLESS CHAINS (Pyramids)** - PC 327, CC 1689.2

**ENVIRONMENTAL ADVERTISING CLAIMS** - B&P 17580 et seq., 16 CFR Part 260

**EXEMPLARY DAMAGES** - CC 3294

**EXCULPATORY CLAUSES** - CC 1668

**EXPRESS WARRANTY (see Warranty)**

## **F**

**FAIR DEBT COLLECTION PRACTICES ACT** - CC 1788-1788.32, 15 USC 1692-1692(o)

**FAIR PACKAGING AND LABELING ACT** - B&P 12601 et seq.

**FALSE/DECEPTIVE ADVERTISING/STATEMENTS** - B&P 17500, 17508

**FAX UNSOLICITED ADVERTISEMENTS** - B&P 17538.4

**FICTITIOUS BUSINESS NAMES** - B&P 17900 et seq.

**FINANCIAL INSTITUTIONS**

**Fees** - FC 4000, 4001

**Financial Record Privacy** - GC 7460 et seq., 12 USC 3401 et seq.

**Properly Payable Items** - Com. Code 4401

**FINE ART**

**Consignment** - CC 1738 et seq.

**Sale of** - CC 1740 et seq.

**FLOATING HOME RESIDENCY LAW** - CC 800.4 et seq.

**FOOD, DRUG AND COSMETIC LAW (Sherman Law)** - H&S 109875 et seq.

**False Advertising** - H&S 110390, 110395, 110398, 110405, 110408, 110410

**Misleading Labeling or Advertising** - H&S 110290, 110295

**Representation of Effect** - H&S 110403

**FORCIBLE ENTRY AND DETAINER** - CCP 1159 et seq.

**FORECLOSURE CONSULTANTS** - CC 2945 et seq.

**Contract Cancellation** - CC 2945.2

**FOREIGN MADE GOODS** - B&P 17533.7

**FORMER PRICE** - B&P 17501, CC 1770(m)

**FRANCHISE INVESTMENT LAW** - Corp. Code 31100 et seq.

**FRAUD** - CC 1571 et seq., 1710 et seq.

**FTC TRADE REGULATION GUIDES AND RULES**

**Bait Advertising** - 16 CFR Part 238

**Credit Practices Rule** - 16 CFR Part 444

**Debt Collection Deception** - 16 CFR Part 237

**Deceptive Pricing** - 16 CFR Part 233

**Environmental Marketing Claims** - 16 CFR Part 260

**Funeral Industry Practices** - 16 CFR Part 453

**Games of Chance** - 16 CFR Part 419

**"Holder Rule"** - 16 CFR Part 433

**Mail and Telephone Order Rule** - 16 CFR Part 435

**Negative Option Plans** - 16 CFR Part 425

**"900" Rule** - 12 CFR Part 308

**Pay-Per-Call** - 16 CFR Part 308

**Three-day Cooling Off Period** - 16 CFR Part 429

**Used Motor Vehicles** - 16 CFR Part 455

**FURNITURE AND BEDDING**

**Illustrations** - B&P 19151

**Limitations on Guarantees** - B&P 19152

**Unassembled** - CC 1770(k),(l)

## **G**

**GENDER-BASED PRICE DISCRIMINATION** - CC 51.6

**GIFTS OR PRIZES** - B&P 17533.8, 17537, 17537.1

**GOVERNMENT FILES (see Information Practices and Public Record Acts)**

**GREY MARKET GOODS** - CC 1797.8 et seq.

**GUARANTEES (see Warranties)**  
**GUARANTOR (Waiver of Subrogation/Reimbursement Rights)** - CC 2856

## **H**

**HEALTH STUDIO CONTRACTS** - CC 1812.80-1812.95  
**Contract Cancellation** - CC 1812.85(b)  
**Death or Disability** - CC 1812.89  
**Move/Transferability** - CC 1812.89(b)(1)  
**HIRING OF PERSONAL PROPERTY (see Personal Property)**  
**HOME EQUITY LOAN DISCLOSURES** - CC 2970 et seq.  
**HOME EQUITY SALES CONTRACTS** - CC 1695 et seq.  
**Contract Cancellation** - CC 1695.4  
**HOME IMPROVEMENT CONTRACTS** - B&P 7150-7163  
**Arbitrator's Disclosures** - CCP 1281.95  
**Contract** - B&P 7159  
**Downpayment** - B&P 7159  
**Rescission** - 15 USC 1635, 12 CFR 226.15, 226.23, CC 1689.5, B&P 7163  
**Security Interest** - B&P 7031(b), CC 1804.3  
**See Contracts and Unruh Act**  
**HOME SOLICITATION CONTRACTS** - CC 1689.5 et seq., 16 CFR Part 429, B&P 17500.3  
**HOMESTEAD EXEMPTION** - Cal. Const., Art. XX, 1.5, CCP 704.710 et seq., 704.910 et seq.  
**HOMESTEAD FILING SERVICES** - B&P 17537.6  
**HOUSEHOLD GOODS CARRIERS** - PUC 5113 et seq., CPUC Min. Rate Tariff 4C, 49 USC 11707, 49 CFR 1005

## **I**

**IDENTIFICATION**  
**Paying by Check** - CC 1725  
**Paying by Credit Card** - CC 1747.8  
**IMMIGRATION CONSULTANTS** - B&P 22440 et seq.  
**Contract Cancellation** - B&P 22442(e)  
**Form Contract** - 16 CCR 3840  
**IMPLIED WARRANTY (see Warranty)**  
**INDEPENDENT WHOLESALE REPRESENTATIVES** - CC 1738.10 et seq.  
**INDUCEMENTS TO VISIT LOCATION OR ATTEND SALES PRESENTATION** - B&P 17537.1  
**INFORMATION PRACTICES ACT** - CC 1798 et seq.  
**Amendment to Record** - CC 1798.35-1798.37  
**Inspection** - CC 1798.32, 1798.34  
**Nondisclosure** - CC 1798.40  
**Restrictions on Disclosure** - CC 1798.24  
**INJUNCTIVE RELIEF**  
**Granting** - CCP 526, 527, B&P 17203, 17204, 17535  
**Penalties for Violating** - CCP 1209 et seq., B&P 17207, 17535.5  
**INNKEEPERS' LIABILITY** - CC 1859 et seq.  
**INTENT TO MAKE SALES PRESENTATION** - B&P 17533.8  
**INTEREST CHARGES**  
**Non-Contract Claims** - CC 3287(a)  
**Not Stated in Contract** - CC 3289 et seq.  
**Personal Injury/Settlement Offer** - CC 3291  
**Postjudgment Interest Rates** - CCP 685.010(a), 685.020(b), 685.030  
**Usury Provisions** - Cal. Const., Art. XV, 1, West's CC

1916 -1- 1916-6  
**INVENTION DEVELOPMENT SERVICES** - B&P 22370  
**Contract Cancellation** - B&P 22373  
**INVESTIGATIVE CONSUMER REPORTING ACT** - CC 1786 et seq.

## **L**

**LABELING GOODS**  
**Grey Market Goods** - CC 1797.8 et seq.  
**Used, Defective, Seconds** - B&P 17531, CC 1770(f)  
**"Made in USA"** - B&P 17533.7  
**Packaging** - B&P 12601 et seq.  
**Food, Drugs and Cosmetics (see Food, Drug and Cosmetic Law)** - H&S 109875 et seq.  
**LANDLORD/TENANT LAW** - CC 1940 et seq., CCP 1159 et seq.  
**Abandoned Property (Tenant's)** - CC 1965, 1980 et seq., 2080 et seq.  
**"Arrieta" Claims** - CCP 415.46, 1174.25, 1174.3  
**Habitability** - CC 1942.3  
**Innkeeper's Liability** (see Innkeeper's Liability)  
**Landlord's Right of Entry** - CC 1954  
**Notice to Terminate Tenancy** - CC 1946  
**Notice to Terminate Sole Lodger** - CC 1946.5  
**Periodic Tenancies** - CC 1943, 1945  
**Prepaid Rental Service** - B&P 10167 et seq.  
**Pretrial Rent Deposit Program (Experimental)** - CCP 1167.2  
**Repair and Deduct** - CC 1942  
**Residential Hotels** - CC 1940.1  
**Retaliatory Eviction** - CC 1942.5  
**Security Deposit** - CC 1950.5  
**Amount** - CC 1950.5(c)  
**Bad Faith Retention** - CC 1950.5(k)  
**Commercial** - CC 1950.7  
**Purposes and Uses** - CC 1950.5(b),(e)  
**Return** - CC 1950.5(f),(g)  
**Service of Notice** - CCP 1162  
**Service of Summons** - CCP 415.10-415.45  
**Tenant (Defined)** - CC 1940  
**Unlawful Detainer** - CCP 1161  
**Unlawful Detainer Assistants** (see Unlawful Detainer Assistants)  
**Untenantable Dwelling** - CC 1941, 1941.1, 1942.3, CCP 1174.2  
**Utilities**  
**Meters** - CC 1940.9, PUC 12821.2  
**Non-Interruption** - CC 789.3  
**Telephone Jacks** - CC 1941.4  
**LAUNDRIES/DRYCLEANERS**  
**Lien** - CC 3051  
**Sale** - CC 3066  
**LAWYERS (see Attorneys)**  
**LAYAWAY PRACTICES** - CC 1749  
**"LEMON LAW"** - CC 1793.22-1793.25, 15 USC 2304(a)(4)  
**LEASES (see Automobiles, Consumer Leasing Act, Rent-to-Own)**  
**LENDERS**  
**Credit Unions** - FC 14000 et seq.  
**Finance Lenders** - FC 22000 et seq.  
**Industrial Loan Companies** - FC 18000 et seq.  
**Installment Sales (see Rees-Levering and Unruh Acts)**

**Insurance Premium Finance Lenders** - FC 18560 et seq.  
**Pawnbrokers** - FC 21000 et seq.  
**Real Estate Brokers** - B&P 10240 et seq.

## **LIENS**

**General** - CC 2872 et seq.  
**Mechanics** - CC 3109 et seq.  
**Vehicles (Labor, Towing and Storage)** - CC 3067-3074  
**LIMITATIONS PERIODS** - CCP 312 et seq.  
**LIMITS ON QUANTITIES SOLD** - B&P 17500.5  
**LOTTERIES AND SWEEPSTAKES** - PC 319 et seq.

## **M**

**"MADE IN USA"** - B&P 17537.1  
**MAGNUSON-MOSS (Federal Warranty) Act** - 15 USC 2301-2312, 16 CFR Part 703  
**MAIL/TELEPHONE/CATALOG SALES** - B&P 17538 et seq., 16 CFR Part 435  
**MAXIMS OF JURISPRUDENCE** - CC 3509 et seq.  
**MECHANICS LIEN** - CC 3109 et seq.  
**MEDICAL INFORMATION (Confidentiality)** - CC 56 et seq.  
**MEMBERSHIP CAMPING CONTRACTS** - CC 1812.300 et seq.  
**Contract Cancellation** - CC 1812.303, 1812.304  
**MILITARY PERSONNEL IN SMALL CLAIMS COURT** - CCP 116.540(f)  
**MISREPRESENTATION (see Advertising)**  
**Affiliation or Association** - CC 1770(c)  
**Authority of Salesman or Agent** - CC 1770(r), VC 11713.1(m)  
**Benefits of Goods or Services** - CC 1770(e)  
**Certification** - CC 1770(b)  
**Geographic Origin of Goods or Services** - CC 1770(d)  
**In General** - CC 1770  
**Ingredients of Goods or Services** - CC 1770(e)  
**Misleading Statements** - B&P 17500 et seq.  
**Obligation** - CC 1770(n)  
**Rights/Remedies** - CC 1770(m)  
**Part Needed/Part Installed** - CC 1770(o),(p)  
**Quality of Goods or Services** - CC 1770(g)  
**Quantities of Goods or Services** - CC 1770(e)  
**Source of Goods or Services** - CC 1770(b),(e)  
**Sponsorship of Goods or Services** - CC 1770(b),(e)  
**MOBILEHOME RESIDENCY LAW** - CC 798 et seq.  
**MOBILEHOME WARRANTIES** - CC 1797-1797.5  
**MONEY EXCHANGE HOUSES** - B&P 22515 et seq.  
**MORTGAGE FORECLOSURE CONSULTANTS** - CC 2945 et seq.  
**Contract Cancellation** - CC 2945.2  
**MOVERS (see Household Goods Carriers)**

## **N**

**NEGATIVE OPTION PLANS** - 16 CFR Part 425, see CC 1584.5  
**NEGOTIABLE INSTRUMENTS** (see Checks)  
**NEW CAR "LEMON LAW"** - CC 1793.22-1793.25, 15 USC 2304(a)(4)  
**NEWSPAPER**  
**Advertisements Run in Good Faith** - B&P 17502  
**Circulation Claims** - B&P 17533

**NUISANCE** - CC 3479 et seq.

## **O**

**OCCUPANCY (Wrongful)** - CC 3334  
**ON-TIME SERVICE CALLS AND DELIVERY OF GOODS** - CC 1722  
**OWNERSHIP (False Statement)** - B&P 17505

## **P**

**PARKING LOT (DISCLAIMER OF LIABILITY)** - CC 1630, 1630.5  
**PERSONAL EMERGENCY RESPONSE UNIT** - CC 1689.6(b), 1689.7(a)(2)  
**PERSONAL FINANCE LENDERS (see Lenders)**  
**PERSONAL PROPERTY**  
**Hiring** - CC 1925, 1955  
**Duty of Care** - CC 1928  
**Duty to Repair** - CC 1929  
**Leases** - 15 USC 1667 et seq., 12 CFR Part 213  
**PHYSICALLY DISABLED PERSONS**  
**Assistive Devices** - CC 1793.02  
**Denial of Services** - B&P 125.6  
**Discrimination** - CC 54 et seq.  
**Fraud (Treble Damages)** - B&P 17206.1, CC 1780(b), 3345  
**Wheelchairs** - CC 1793.025  
**PHONE CORPORATIONS (Notice of Residential Rates and Services)** - PUC 786  
**POLITICAL ITEMS (Sale and Manufacture)** - CC 1739 et seq.  
**PREPAID RENTAL SERVICE** - B&P 10167  
**Refund of Fees** - B&P 10167.10  
**PRICE**  
**Before-Rebate Cost** - B&P 17701.5  
**Gouging (Post Disaster)** - PC 396  
**Price Reductions (Misleading Statements)** - CC 1770(m)  
**Purchase of Multiple Articles** - B&P 17509  
**Secondhand Goods** - B&P 17531, CC 1770(f)  
**Selling or Leasing at Advertised Terms** - CC 2985.71(b), B&P 17538.7, VC 11713.1(e)  
**Two or More Articles in Same Ad** - B&P 17507  
**Value and Former Value** - B&P 17501  
**PRIVACY**  
**California Privacy Provision** - Cal. Const. Art. I, 1  
**Consumer Records** - CCP 1985.3  
**Federal Privacy Act** - 5 USC 552a, Pub.L. 93-579, sec. 7 (at Notes, 5 USC 552a)  
**Financial Records** - GC 7460 et seq., 12 USC 3401 et seq.  
**Personally Identifiable Marketing Information** - CC 1748.12, 1785.19.5  
**See Information Practices and Public Records Acts**  
**PRIZES**  
**As Inducements** - B&P 17537.1  
**Conditional Offer** - B&P 17537  
**Misleading** - B&P 17537(a)  
**Promotional Giveaways** (see Promotional Giveaways)  
**Sales Presentation** - B&P 17533.8  
**PROFESSIONAL ADVERTISING (Restrictions)** - B&P 17500.1  
**PROMOTIONAL GIVEAWAYS** - B&P 17537.1

**PUBLIC RECORDS ACT** - GC 6250 et seq.  
**Agencies Covered** - GC 6253  
**Exemptions** - GC 6254 et seq.  
**Request for Disclosure** - GC 6256, 6257  
**Right of Access** - GC 6253, 6256, 6257  
**PUNITIVE DAMAGES (see Damages)**  
**PYRAMID SCHEME (see Endless Chain)**

## **R**

**RADIO, TELEVISION, APPLIANCE REPAIR** - B&P 9801 et seq.

### **REAL ESTATE BROKER**

**License** - B&P 10130 et seq.

### **REAL PROPERTY**

**Conveyance Law** - CC 1091 et seq.  
**Default (Purchase Contract)** - CC 1675 et seq.  
**Deposit** (see Deposits (Real Estate))  
**Disclosure of Defects (Sale)** - CC 1102 et seq.  
**Foreclosure Consultants** - CC 2945 et seq.  
**Home Equity Loan Disclosures** - CC 2970 et seq.  
**Home Equity Sales Contracts** - CC 1695 et seq.  
**Home Loan Prepayment Penalty** - CC 2954.9, 2954.10, 15 USC 1615, 1639(c)  
**Homestead Filing Services** (see Homestead Filing Services)  
**Late Charges** - CC 2954  
**Mechanics Lien** (see Mechanics Lien)  
**Sale Contract** - CC 1624(c), 2985  
**Timeshares** (see Timeshare Contracts)  
**Transfer Disclosures (Residential)** - CC 1102 et seq., 2079

### **REBATE**

**Before Rebate Price** - B&P 17701.5  
**Receipt as Condition of Sale** - CC 1770(q), 1803.10, 2982.1

### **RECLAIMED, RECONDITIONED OR USED GOODS REPRESENTED**

**AS NEW** - CC 1770(f), B&P 17531  
**RECREATIONAL VEHICLE PARK OCCUPANCY LAW** - CC 799.20 et seq.

### **REES-LEVERING (AUTOMOBILE SALES) FINANCE ACT** - CC 2981-2984.4

**Acceleration** - CC 2983.3  
**Buyer Unable to Obtain Financing** - CC 2982.5, 2982.7, 2982.9  
**Buyer's Claims and Defenses** - CC 2983.5, 2983.7(a)  
**Buyer's Remedies** - CC 2983, 2983.1, 2984  
**Change in Contract Terms** - CC 2982(h)  
**Conditional Sale Contract** - CC 2981.9, 2982  
**Deficiency Judgment** - CC 2983.8  
**No "Cooling Off" Period** - CC 2982(r)  
**Prohibited Contractual Provisions** - CC 2983.7  
**Refund of Downpayment** - CC 2982.5, 2982.7, 2982.9  
**Reinstatement/Redemption** - CC 2983.2, 2983.3  
**Repossession/Disposition** - CC 2983.2  
**"Supervised Financial Organizations"** - CC 2982.5  
**Venue** - CC 2984.4

**REFERRAL SALES** - CC 1770(q), 1803.10, 2982.1

### **REMEDIES**

**Civil Penalties** - B&P 17206, 17536  
**Consumers Legal Remedies Act** - CC 1780  
**Damages (see Damages)**

**Enhanced Penalties** - B&P 17206.1, CC 1780(b), 3345  
**Injunction, Restitution** - CCP 526, 527, B&P 17203, 17204, 17535  
**RENT SKIMMING** - CC 890  
**RENT-TO-OWN** - CC 1812.600 et seq.  
**Cash Price** - CC 1812.623, 1812.644  
**Contract Disclosures and Terms** - CC 1812.623, 1812.624

**Lost or Damaged Item** - CC 1812.627  
**Maintenance of Item** - CC 1812.633  
**Prohibited Acts** - CC 1812.624, 1812.625, 1812.626, 1812.635, 1812.639  
**Purchase Option** - CC 1812.632  
**Reinstatement** - CC 1812.631  
**Repossession** - CC 1812.638

### **REPAIR**

**Appliance and Electronic** - B&P 9800 et seq.  
**Automobile** - B&P 9880 et seq.  
**Consumer Goods** - CC 1790 et seq., Com. Code 2313 et seq.  
**Four-Hour Requirement** - CC 1722  
**Part Not Needed/Part Not Provided** - CC 1770(o), (p)  
**Service Contracts (see Service Contracts)**  
**Warranty** (see Warranties)  
**Warranty Repair Standards** (see Warranties)

### **RETAIL INSTALLMENT SALES (see Unruh Sales Act)**

### **RETURN POLICY DISPLAY REQUIREMENTS** - CC 1723

### **ROBBINS-ROSENTHAL FAIR DEBT COLLECTION**

### **PRACTICES ACT** - CC 1788-1788.32

## **S**

### **SALES**

**Bait and Switch** - B&P 17500, CC 1770(i), (j)  
**By Telephone (see Telephonic Sellers)**  
**Installment**  
**Automobiles (see Rees-Levering Act)**  
**Consumer Goods and Services (see Unruh Act)**  
**Multiple Units or Additional Products** - B&P 17504, 17509  
**Telephone and Communications Equipment** - B&P 17361 et seq.

### **SCALPING TICKETS** - PC 346

### **SECURITIES** - Corp. Code 25019 et seq.

### **SECURITY DEPOSITS (see Landlord/Tenant Law)**

### **SELF-SERVICE STORAGE FACILITIES** - B&P 21700 et seq.

### **SELLER-ASSISTED MARKETING PLANS (SAMPS)** - CC 1812.200 et seq.

**Contract Cancellation** - CC 1812.208, 1812.209, 1812.215

**Definitions** - CC 1812.201

**Disclosures to Consumers** - CC 1812.204, 1812.205, 1812.206

**Remedies** - CC 1812.218, 1812.221

### **SELLERS OF TRAVEL**

**Advertising** - B&P 17550.15(k), 17550.24(f)  
**Delivery of Tickets** - B&P 17550.15, 17550.17  
**Refunds** - B&P 17550.14  
**Registration** - B&P 17550.20  
**Trust Account** - B&P 17550.15, 17550.16  
**Travel Consumer Restitution Fund** - B&P 17550.36, 17550.37, 17550.47

**SEMINAR SALES** - CC 1689.24  
**SENIOR CITIZENS (Enhanced Penalties for Fraud Against)** - CC 1780(b), 3345, B&P 17206.1  
**SERVICE CONTRACTS** - CC 1794.4, 1794.41, B&P 9855.1 et seq.  
**SIMULATED CHECKS** - B&P 17539.1(a)(13), 22433  
**SLACK FILL** - B&P 12602, 12606  
**SMALL CLAIMS ACT** - CCP 116.110 et seq.  
**SONG-BEVERLY CONSUMER WARRANTY ACT (see Warranties)**  
**SONG-BEVERLY CREDIT CARD ACT** - CC 1747-1748.7  
**SPANISH-LANGUAGE TRANSLATION OF CONTRACT** - CC 1632, 1689.7  
**SPORTS MEMORABILIA (Collectibles)** - B&P 21670 et seq., CC 1739.7  
**STATUTES OF LIMITATION** - CCP 312 et seq.  
**STRUCTURAL PEST CONTROL OPERATORS** - B&P 8500 et seq.  
**SWAP MEETS** - B&P 21660 et seq.  
**SWIMMING POOL CONSTRUCTION CONTRACTS** - B&P 7165-7168

## T

**TANNING FACILITIES** - B&P 22700 et seq.  
**TELEMARKETING AND CONSUMER FRAUD AND ABUSE PREVENTION ACT** - 15 USC 6101 et seq., 16 CFR Part 310  
**TELEPHONE**  
**Billing/Collections (900/976 Numbers)** - PUC 2884.2 et seq., 12 CFR Part 308  
**Residential Services and Rates (Notices)** - PUC 786  
**Sale of Telephone and Communications Equipment** - B&P 17361 et seq.  
**TELEPHONE CONSUMER PROTECTION ACT** - 15 USC 227 et seq.  
**TELEPHONIC SELLERS** - B&P 17511 et seq., 16 CFR Part 310  
**Automatic Dialing-Announcing Device** - PUC 2871 et seq.  
**Contract Cancellation** - B&P 17511.5(e), CC 1689.6  
**Disclosures** - B&P 17500.3, 17511.5  
**"Do Not Call" Lists** - 47 USC 227 et seq., 47 CFR 64.1200(e)  
**Fraud and Abuse Prevention** - 15 USC 6101 et seq., 16 CFR Part 310  
**Information Charges (Disclosure)** - PUC 2889, 12 CFR 308.3  
**Live Voice Introduction** - CC 1770(v), 15 USC 227(b)(1), 47 CFR 64.1200(c),(e)  
**Registration** - B&P 17511.3, 17511.4  
**Solicitation** - B&P 17500.3, 17511.1  
**Venue** - CCP 395(b)  
**TELEVISION**  
**Repair** - B&P 9800 et seq.  
**Picture Tube Labels** - B&P 17531.6 et seq.  
**TICKET SELLERS** - B&P 22500 et seq.  
**TIMESHARE CONTRACTS**  
**Rescission** - B&P 11024  
**Timeshare Project** - B&P 11003.5  
**TOWING**  
**Credit Cards** - VC 22651.1  
**Deficiency Claims** - CC 3068.2

**Liens** - CC 3068, 3068.1, 3072-3074  
**Owner's Request for Release** - CC 3068.1, VC 22658(i)  
**Request Prerequisite for Service** - VC 22513  
**TOYS (Unassembled)** - B&P 17531.1  
**TRAVEL PROMOTERS** - B&P 17540 et seq.

## U

**UNASSEMBLED**  
**Furniture** - CC 1770(k), (l)  
**Toys** - B&P 17531.1  
**UCC WARRANTIES (see Warranties)**  
**UNFAIR**  
**Competition** - B&P 17200 et seq., CC 1770  
**Restraint of Trade** - B&P 16600 et seq.  
**Trade Practices** - B&P 17000  
**UNIVERSAL PRODUCT CODE** - CC 7100 et seq.  
**UNLAWFUL DETAINER ASSISTANTS** - B&P 6400 et seq.  
**Contract Cancellation** - B&P 6410(d),(e)  
**Form Contract** - 16 CCR 3850  
**UNLICENSED PROVIDERS OF GOODS OR SERVICES (Treble Damages)** - B&P 1029.8  
**UNPAID WAGES** - LC 203, 227.3  
**UNRUH CIVIL RIGHTS ACT** - CC 51 et seq.  
**UNRUH (Retail Installment Sales) Act** - CC 1801-1812.20  
**Add-on Sales** - CC 1808.1 et seq.  
**Buyer Unable to Obtain Financing** - CC 1803.9  
**Buyer's Claims and Defenses** - CC 1804.1(a), 1804.2, 16 CFR Part 433  
**Contract** - CC 1803.2, 1803.3, 1804.1  
**Default/Repossession** - CC 1812.2, 1812.3  
**Deficiency Judgment Prohibited** - CC 1812.5  
**Delinquency Charges** - CC 1803.6  
**Finance Charges** - CC 1805.1, 1810.2, 1805.6  
**Home Improvement Contracts** - CC 1689.8  
**Remedies** - CC 1812.7 et seq.  
**Rescission of Contract** - CC 1803.9  
**Retail Installment Accounts** - CC 1810.1 et seq.  
**Sales by Mail/Telephone (Coverage of Act)** - CC 1803.8  
**Security Interests** - CC 1689.8, 1804.3  
**"Supervised Financial Organizations"** - CC 1801.6  
**Venue** - CC 1812.10  
**UNSOLICITED GOODS** - CC 1584.5-1584.6, 16 CFR Part 425  
**USED MERCHANDISE**  
**Motor Vehicles** - 16 CFR Part 455, CC 1795.5  
**Disclosure That Merchandise is Used** - B&P 17531, CC 1770(f)  
**Federal Surplus** - B&P 17531.5, 17533.5  
**Television Picture Tubes** - B&P 17531.6 et seq.  
**Warranties (see Warranties)**  
**USURY** - Cal. Const., Art. XV, 1, West's CC 1916-1 - 1916-6

## V

**VIDEO REPAIR** - B&P 9800 et seq.  
**VOCATIONAL SCHOOLS**  
**Claims and Defenses** - EC 94335(c)-(e), 20 USC 1082(m)  
**Contract Requirements** - EC 94312, 94319  
**Deceptive Acts Prohibited** - EC 94316.3  
**Disclosures Required** - EC 94316.4, 94316.10

**Performance Standards** - EC 94316.5  
**Right to Cancel Contract** - EC 94316.20, 94317, 94317.5  
**Right to Refund** - EC 94312(d), 94317, 94318, 94318.5  
**Student Tuition Recovery Fund** - EC 94342  
**Test of Students' Ability to Benefit From Instruction** - EC 94319.2  
**Unenforceable Contract** - EC 94312(h)(9), 94319.9(a), 94321(a), 94335(a),(b)

## W

### **WARRANTIES**

**Arbitration Programs** - B&P 472 et seq., CC 1793.22(d), 16 CFR Part 703  
**"As Is" Sales** - CC 1791.3, 1792.4, 1792.5, 1670.5, 1770(s), 15 USC 2308, 16 CFR 455.2, Com. Code 2316  
**Assistive Devices** - CC 1793.02  
**Buyer's Damages** - CC 1791.1(d), 1794, Com. Code 2714, 2715  
**Disclaimer** - CC 1792.3-1792.5, Com. Code 2316, 2719  
**Express Warranties** - CC 1791.2, 1793, 1793.1, 1793.2, Com. Code 2313, 2314, 2315, 2316  
**Implied Warranties** - CC 1791.1, 1792-1792.4, Com. Code 2314, 2315, 2316  
**"Lemon Law"** - CC 1793.22-1793.25, 15 USC 2304(a)(4)  
**Magnuson-Moss (Federal Warranty) Act** - 15 USC 2301-2312, 16 CFR Part 703  
**Rejection and Revocation of Acceptance** - Com. Code 2601, 2602, 2606, 2607, 2608, 2711-2715  
**Remedies Cumulative** - CC 1790.4  
**Remedy Fails of Essential Purpose** - Com. Code 2719(2)  
**Repair or Replace Provision** - CC 1793.2(d)  
**Repair Standards** - CC 1796 et seq.  
**Returned "Lemon" Notice** - CC 1793.22(f), 1793.23, 1793.24  
**Service Contracts** - CC 1794.4, 1794.41, B&P 9855.1 et seq.  
**Time Allowed for Repair** - CC 1793.1(a)(2), 1793.2(b),(d)  
**Tolling of Warranty Period** - CC 1793.1(a)(2), 1795.6, 1795.7  
**Warranties for Used Goods** - CC 1795.5  
**Warranties in Lease Transactions** - CC 1795.4  
**Workmanship** - CC 1796  
**WATER TREATMENT DEVICES** - B&P 17577 et seq.  
**Contract Cancellation** - B&P 17577.3  
**WEIGHT LOSS** - CC 1694.5 et seq.  
**Contract Cancellation** - CC 1694.7(b)  
**Death or Disability** - CC 1694.8  
**Move/Transferability** - CC 1694.8(b)  
**WHEELCHAIRS** - CC 1793.025  
**WILLFUL OR NEGLIGENT ACTS** - CC 1714  
**WORTH OR VALUE** - B&P 17501, CC 1770(m)

\*\*\*\*\*

### **Guide to Abbreviations:**

B&P = Business & Professions Code  
 Cal. Const. = California Constitution  
 CC = Civil Code

CCP = Code of Civil Procedure  
 CFR = Code of Federal Regulations  
 Com. Code = Commercial Code  
 Corp. Code = Corporations Code  
 CPUC = California Public Utilities Commission  
 Ed. Code = Education Code  
 Evid. Code = Evidence Code  
 FC = Financial Code  
 GC = Government Code  
 H&S = Health & Safety Code  
 Harb. & Nav. Code = Harbors & Navigation Code  
 PC = Penal Code  
 PUC = Public Utilities Code  
 USC = United States Code  
 VC = Vehicle Code

**NOTICE:** We attempt to make our legal guides accurate as of the date of publication, but they are only guidelines and not definitive statements of the law. Questions about the law's application to particular cases should be directed to a specialist.

**Prepared by:**

**Legal Services Unit  
 December 1995**